Statement of

GALE NORTON

President, Norton Regulatory Strategies

Secretary of the Interior 2001-2006

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"Seeking State Solutions: Forest Health, Wildfires, and Habitat Protection"

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I appreciate the opportunity to join you today and to reflect on lessons learned in the 12 years since I began working on President Bush's Healthy Forest Initiative and the 10 years since passage of the Healthy Forests Restoration Act of 2003. In that time, there has been bipartisan support among Westerners for action to combat the devastating effect of wildfires, restore wildlife habitat, expand fuels treatment projects, and engage local communities in forest management strategies. From this focused and sustained effort, many success stories and improvements have emerged.

These efforts across the West, unfortunately, do not yet reach the scale necessary to overcome the massive problems we face. There are still many opportunities to replicate success stories in new locations. The federal process remains cumbersome, incentives are often misaligned, and budgetary resources are insufficient.

In 2000, wildfires destroyed more acres than any year in decades. As my team took office at the Department of the Interior, we were acutely aware of the need to address the problem. We recognized that the wildfire problem went well beyond numbers of firefighters and aircraft; it required systematic reform of the way in which we managed our forests.

In conjunction with the Forest Service, we looked at the history of well-intentioned but misguided forest management. Smokey Bear's message of complete fire suppression collided with environmental restrictions on the timber industry. Both nature's and mankind's historic tools for forest thinning had declined, and forests became unnaturally dense. The professional and scientific analyses jived with my own experiences – the doghair forests of the 21st Century looked a lot different than the more open mountain landscapes I remembered from my childhood.

I had the opportunity to experience forest problems and solutions first-hand. In Arizona, I walked with researchers through forests that had been mechanically thinned, leaving remaining

trees stronger. From helicopters, I flew over areas of recent forest fires and could compare the drastic difference where forests had been actively managed. Patches that had been thinned remained green, while the denser forest areas were blackened. I saw areas where fires had burned so unnaturally hot that soil had been sterilized; even a year later, nothing at all was growing. I was impressed by the dedication and cooperation of federal and state firefighters at the National Interagency Fire Center. I flew with Governor Owens over the Heyman fire as it burned, and saw trees erupting in flame as the fire bore down upon a ranch house. I had the sad duty of attending a funeral service for firefighters who died while doing their jobs.

From experiences like these, we formulated the Healthy Forest Initiative. It included the 2003 legislation with which you are familiar. It also included significant work on improvements within Interior and the Forest Service. Of course, a large part of our effort was to ensure we had the equipment and manpower to fight fires effectively.

We also launched a very intense fuels treatment emphasis. We began closely monitoring and measuring the acreage of mechanical thinning and prescribed burns on Bureau of Land Management, National Park Service, Fish and Wildlife Service and other lands. Managers had to report their progress on a weekly basis to my office. Interestingly, the agency that had the easiest time with active forest management was FWS. They were used to manipulating wildlife refuge vegetation to enhance wildlife habitat, so active management was already part of their agency culture.

We identified the obstacles to efficient thinning projects, including extensive National Environmental Policy Act paperwork, endangered species uncertainties, lack of coordination, inconsistent directives, and litigation. In some states, every single BLM fuels treatment project was challenged in court. The Healthy Forests Restoration Act addressed many of these obstacles.

One reality was apparent from the beginning: federal land managing agencies would never have budgets necessary for fuels treatment on a massive scale. Many areas were too dense or too populated for prescribed burns and would need more expensive mechanical thinning. We needed to pool resources across federal, state and local governments, as well as the private sector, to restore forests to a more natural and more fire-safe density.

Today's hearing focuses on this crucially important cooperative aspect of successful forest management. With a problem as widespread and complex as the restoration of millions of acres, everyone needs to work together to establish priorities and strategies.

Going forward, there are several policy areas that are important for future progress.

<u>Self-sustaining thinning and treatment:</u>

Excess vegetation has been building in Rocky Mountain forests for 70 or 80 years. It's no wonder that reversing the process is a formidable task. In many areas we just need to thin enough to allow for prescribed burns, and ongoing management can use fire as an effective tool. But in other areas, the wildland-urban interface makes large prescribed fires impractical. Repeated mechanical thinning must become the ongoing substitute for fire.

In some areas, the timber is attractive enough to make harvesting excess trees financially worthwhile. Stewardship contracting provides a beneficial mechanism to specify what work is needed to restore the forest, then use the wood to compensate for the removal costs plus a modest profit. Reauthorization of Stewardship Contracting authority is important, as is a continuing emphasis on making the contracting process straightforward and predictable.

In other areas, finding a way to make forest products cover the cost of thinning requires a lot of creativity and ingenuity. A few days ago, I was pleased to see a new King Soopers grocery store using fruit and vegetable display bins made of beetle-kill lumber. Wood pellets and biomass generate heat and energy in some places. I am frankly disappointed at the slow progress in biomass utilization. Both slow technological development and competition from low-cost natural gas have dampened the demand for forest biomass. To encourage investment in new technologies or large-scale projects, long-term supply predictability is especially important, and Congress should work with agencies to ensure the process works as well as possible.

Minimize litigation and over-analysis:

Categorical exclusions and other streamlining techniques should be a priority for Congressional attention. Experts report that the Forest Service has not fully utilized efficiencies and that it is continually plagued by appeals and litigation on any project of meaningful size because these projects also involve substantial timber harvest. The Good Neighbor authority should be expanded, following the example established here in Colorado.

Section 106 (c) (3) of the Healthy Forest Restoration Act asks courts to balance

> "the impact to the ecosystem likely affected by the project of—
> (A) the short- and long-term effects of undertaking the agency action; against
> (B) the short- and long-term effects of not undertaking the agency action."

This balancing of short- and long-term impacts would be helpful as an overall approach to agency analysis and decisionmaking on hazardous fuels reduction. There is a tendency to focus attention on the immediate impacts of vegetation removal instead of the long-term benefits of habitat restoration, disease and insect resistance, and fire safety. A long-term focus would facilitate more active forest and rangeland management. (However, any statutory change in this regard should be structured so as not to provide yet another opportunity for legal challenges.)

Litigation and analytical documents are often seen as a way to force the government to listen to citizen views, but this input is better handled through direct collaboration. As even collaborative efforts by large arrays of constituents in agreement on timber sales and fuels treatment efforts are stopped by litigants, it is time for Congress to act again.

Collaborate with local communities:

As you will hear from other witnesses today, there are many benefits from working together with states, local governments, and citizens. Cooperation brings more resources to bear, coordinates work across a patchwork of lands, encourages consideration of wildlife habitats and recreation, and helps prioritize scarce dollars. Involving a variety of people can lead to innovative approaches, whether in using forest products or in handling endangered species and wildlife issues. Collaboration carries benefits not just for fire prevention but also for revival of rural economies that would benefit from forest-related jobs.

While collaboration seems like a simple process, there are techniques that can make it much more effective. I am a member of the Conservation Leadership Council. Among other topics, we have examined how landscape-scale cooperative efforts can benefit the environment. For example, one of our papers examines stewardship across diverse lands in the Blackfoot River watershed in Montana: Community-based Approach to Conservation for the 21st Century, by Gary Burnett of the Blackfoot Challenge. This and other papers are available on the Council's website at http://www.leadingwithconservation.org.

Examine incentives for activities affecting forest health:

Clearly one of the main challenges for forest management is the expansion of the wildland-urban interface. Most of us would love to have a home surrounded by beautiful mountain vistas. But the presence of homes greatly complicates nearby federal land management and firefighting.

In the past, Congress has denied federal benefits for construction of homes in environmentally sensitive areas, most notably in the Coastal Barrier Resources Act. It is more difficult to identify high-risk areas across millions of acres of the west, but Congress should consider whether any similar approach might make sense. From another perspective, Congress could consider ways in which federal agencies might be incentivized to utilize small-timber and biomass products.

More significantly, states and local governments should examine their policies, and especially whether insurers are empowered to incentivize homeowners to fire-proof their own homes, or homeowners are restricted from taking appropriate measures. Colorado's tax deduction for hazardous fuels reduction shows how government can encourage private self-protection. Local building codes could encourage or require concrete tile or metal roofs and vegetation set-backs.

Colorado is a great place for the Congressional Western Caucus to learn more about collaborative efforts to restore forest health. Thank you for the opportunity to offer my perspective.